

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Tatsuo BABA

Ser. No.: 10/551,435

Art Unit: 1794

Filed: September 29, 2005

Examiner: Nicole T. Gugliotta

Confirmation No.: 4451

For: BASE FOR HONEYCOMB FILTER, METHOD FOR PRODUCING SAME
AND HONEYCOMB FILTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Office Action mailed March 17, 2008, Applicant hereby provisionally elects, with traverse, to prosecute the claims of Group I (claims 1 and 6) in this application.

However, Applicant respectfully traverses the restriction requirement since the subject matter of claims 1, 5 and 6 is sufficiently related that a thorough and complete search for the subject matter of the elected claims would necessarily encompass a thorough and complete search for the subject matter of the non-elected claims. Thus, it is respectfully submitted that search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is clearly stated that “[i]f the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits.” It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicant and improper duplicative examination by the Patent Office.

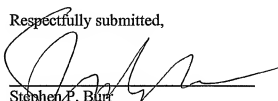
If the Examiner believes that contact with Applicant's attorney would be advantageous toward the disposition of this case, the Examiner is herein requested to call Applicant's attorney at the phone number noted below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

March 31, 2008

Date

Respectfully submitted,



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